

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida,
2 held on Tuesday, November 15, 2011 at 7:00 p.m. in Council Chambers, 201 N. Holly Avenue, Orange
3 City.

4
5 **CALL TO ORDER**

6
7 The meeting was called to order at 7:00 p.m. by Mayor Laputka and roll call was taken.
8

9 **ROLL CALL**

10
11 **PRESENT:** Mayor Tom Laputka; Vice Mayor O. William (Bill) Crippen; Council Members Ron
12 Saylor, Michael Wright, Tom Abraham, Anthony J. Pupello, Gary A. Blair; City Attorney Bill
13 Reischmann; City Manager Jamie Croteau; City Clerk Deborah Renner
14

15 The Invocation was given by Pastor Barry Greening, Volusia County Baptist Church, followed by the
16 Pledge of Allegiance.
17

18 **A. Election of Vice Mayor (Moved forward on agenda)**

19
20 Council Member Blair requested that Agenda Item 8A, Election of Vice Mayor, be moved forward on
21 the agenda. It was the consensus of Council to proceed. Noting that the votes will be cast by ballot,
22 Mayor Laputka explained the election process. Council Member Blair nominated Council Member
23 Abraham, Council Member Wright nominated Vice Mayor Crippen. There being no further
24 nominations, the City Clerk distributed the ballots. Council Members cast their votes and passed the
25 ballots back to the City Clerk. The City Clerk read the ballot vote as follows: Council Members
26 Pupello, Wright, Crippen and Mayor Laputka voted for Council Member Crippen. Council Members
27 Blair, Saylor and Abraham voted for Council Member Abraham. Having received the greater number of
28 votes, Council Member Crippen was declared the winner and will continue to serve as Vice Mayor for
29 another year.
30

31 **1. ABSENCES:** None at this time

32
33 **2. PRESENTATIONS/PROCLAMATIONS:** None at this time

34
35 **3. CITIZEN COMMENTS:**

36
37 Dallas Wittgenfeld, 2421 Pine Hill Place came forward and said that he is the Public Relations Director
38 for the Heritage Inn. Mr. Wittgenfeld stated the Inn has "brought the roses back to Rose Avenue" by
39 planting 1,000 roses. He congratulated and welcomed the new mayor and council members. Mr.
40 Wittgenfeld provided history on an 1878 advertisement about Orange City that he displayed. He
41 concluded by expressing his hope that Council will support historic preservation in Orange City and
42 work with the Volusia County Historic Preservation Commission.
43

44 Mark Carston, 5775 N. Thorpe Avenue came forward and said he would like to be a member of the
45 Historic Board. Mr. Carston said that he has received several signatures supporting his appointment.
46 He distributed a listing of the reasons why he wishes to serve on the committee. Ms. Croteau noted the
47 City Clerk has been accepting applications for Historic Board and that the applications will be reviewed
48 soon.
49

1 Shawn Willis, 2727 Ryan Lane, Deltona came forward and presented a plaque to the Council showing
2 their appreciation for allowing the Volusia County Titans football team to use the Senez Field at
3 Valentine Park. He thanked the Council for their support.

4
5 Council Member Blair commented that several of the team members are his students and that he has
6 been to some of the games. He announced the team will be playing in the National Championship
7 games in December at Disney. He stated "Keep up the good work, kudos to you also."

8
9 John Masiarczyk, Mayor of Deltona, came forward and congratulated Mayor Laputka on his election to
10 the office of Mayor.

11 12 **4. CONSENT AGENDA**

- 13
14 a) Refurbishment of DeBary Engine 33
15 b) Surplus 1967 Kaiser Truck
16 c) September 29, 2011 Special Meeting Minutes
17 d) October 25, 2011 Regular Meeting Minutes

18
19 **Vice Mayor Crippen moved to approve the Consent Agenda, seconded by**
20 **Council Member Blair and passed by a unanimous 7/0 voice vote of the**
21 **Council.**

22 23 **5. ORDINANCES-FIRST READING**

- 24
25 **A. ORDINANCE NO. 469:** An ordinance of the City of Orange City, Florida,
26 amending Orange City Code Appendix A, the City's Land Development Code,
27 as adopted by Ordinance No. 157; amending Chapter 2 Definitions, Chapter 8
28 Zoning Regulations and Section 8.6.1 Schedule of Zoning Districts Permitted
29 and Conditional Uses; providing for an additional permitted principal use in the
30 I-1 and I-2 Industrial Zoning District; providing for conflicting provisions;
31 providing for severability; providing an effective date.

32
33 Mayor Laputka read the title of Ordinance No. 469 into the record.

34
35 **Council Member Wright moved to adopt Ordinance No. 469 on first**
36 **reading, seconded by Council Member Saylor.**

37
38 Alison Stettner, Development Services Director came forward and advised this ordinance was crafted to
39 regulate the operations of "pain management clinics" in the City. If adopted it would end the City's
40 moratorium on these types of establishments. Referring to a PowerPoint presentation (a copy of which
41 is attached and becomes a permanent part of these minutes), Ms. Stettner stated that Florida has the
42 highest availability and abuse of prescription drugs nationwide and that Volusia County is at risk. She
43 discussed what "pill mills" and "pain management clinics" are and the problems associated with these
44 establishments. Ordinance No. 469 would allow pain management clinics to operate in the I-1 and I-2
45 zoning districts. She discussed the permitting criteria, noting that the sale and distribution of controlled
46 substances on-site is prohibited. All prescriptions must be dispensed by an off-site licensed pharmacy.
47 Operating hours are limited to Monday – Friday 8:00 a.m. to 7 p.m. In addition each clinic is required to
48 maintain certain distances between each facility, as well as between day care and religious facilities.

1 The City will get a copy of all records submitted to the State to ensure that all records are consistent. A
2 provision to allow landlords to terminate the lease if there is a problem was included.

3
4 Council Member Blair questioned why these businesses are allowed to open. Ms. Stettner responded
5 that the businesses are a legal use and have not been banned by the State such as “adult entertainment”
6 businesses. The only recourse that local governments have is to provide an appropriate location, time
7 and place where the clinics can operate. Mr. Reischmann discussed the recently enacted State
8 regulations for these businesses. He stated the prescription database has been proven to be the most
9 effective tool. Local governments waited to see what the State was going to do before enacting local
10 laws that would complement the State regulations. The City could be challenged if it were to ban these
11 businesses. Orange County recently enacted regulations that mimic this ordinance. Mr. Reischmann
12 said he would research whether any local governments have passed a permanent moratorium to outlaw
13 these businesses within their jurisdictions. In addition, he said he would check with the attorney for
14 Orange County and the Attorney General’s Office to find out if something is being contemplated
15 statewide.

16
17 Council Member Wright expressed his concerns that when compared with the rest of the nation, Florida
18 is “overwhelmingly” bad with regard to this issue and asked whether staff considered what other states
19 are doing. Ms. Stettner responded in the affirmative. Ms. Croteau explained that other State legislatures
20 have passed laws with regard to this issue. Florida just recently began to address it. Regulation is the
21 best route because a moratorium is only for a year. Staff will research to see if anyone has taken the
22 next step.

23
24 Council Member Pupello agreed with Council Member Blair’s comments. He said he appreciates what
25 staff has done by crafting this ordinance, because it gives Council some ability to control something that
26 should be controlled at the State level.

27
28 Mr. Reischmann noted that the statewide prescription database implemented in other states prevented
29 people from doctor shopping. Florida became attractive because there was not the same type of
30 regulations. Other states were asking Florida to implement these regulations for several years.

31
32 Mayor Laputka agreed with previous comments. He said he would support the passage of this ordinance
33 on first reading. Staff will come back by the second reading with additional information.

34
35 **B. ORDINANCE NO. 470:** An ordinance of the City Council of the City of
36 Orange City, Florida, providing for a non-exclusive franchise to Container Rental
37 Company (CFC), Inc. for the collection and disposal of commercial trash,
38 garbage, recyclable materials and other refuse within the city limits; providing
39 for definitions, terms condition, rates, compliance with laws, arbitration,
40 standards of performance, collection, regulation operations, hours, routes,
41 penalties, accounting, complaint resolutions; containing a repealer provision; a
42 severability clause and providing for an effective date.

43
44 Mayor Laputka read the title of Ordinance No. 470 into the record.

45
46 **Council Member Blair moved to adopt Ordinance No. 470 on first reading,**
47 **seconded by Vice Mayor Crippen.**
48

1 Linda Snyder, Financial Services Supervisor came forward and noted that the next seven agenda items
2 are non-exclusive franchise garbage agreements. She explained that any agency that wishes to haul
3 commercial garbage within the City must enter into this agreement. The City receives 20% of the fees
4 collected. The contracts are for one year. Ms. Snyder classified this matter as an annual “clerical
5 action.”

6 **Motion passed by a 7/0 roll call vote of the Council.**
7

- 8 **C. ORDINANCE NO. 471:** An ordinance of the City Council of the City of Orange
9 City, Florida, providing for a non-exclusive franchise to Sunshine Recycling, Inc.
10 for the collection and disposal of commercial trash, garbage, recyclable materials
11 and other refuse within the city limits; providing or definitions, terms condition,
12 rates, compliance with laws, arbitration, standards of performance, collection,
13 regulation operations, hours, routes, penalties, accounting, complaint resolutions;
14 containing a repealer provision; a severability clause and providing for an
15 effective date.
16

17 Mayor Laputka read the title of Ordinance No. 471 into the record.
18

19 **Council Member Blair moved to adopt Ordinance No. 471 on first reading,**
20 **seconded by Vice Mayor Crippen.**
21

22 Mr. Reischmann noted that commercial establishments like to have the ability to contract with the hauler
23 of their choice. They believe this type of competition is beneficial to them to get the best rate possible.
24 The Charter requires any franchise agreement be enacted by ordinance. Council Member Blair spoke in
25 support of this action.
26

27 **Motion passed by a 7/0 roll call vote of the Council.**
28

- 29 **D. ORDINANCE NO. 472:** An ordinance of the City Council of the City of
30 Orange City, Florida, providing for a non-exclusive franchise to WCA Waste
31 Corporation, Inc. for the collection and disposal of commercial trash, garbage,
32 recyclable materials and other refuse within the city limits; providing for
33 definitions, terms condition, rates, compliance with laws, arbitration, standards of
34 performance, collection, regulation operations, hours, routes, penalties,
35 accounting, complaint resolutions; containing a repealer provision; a severability
36 clause and providing for an effective date.
37

38 Mayor Laputka read the title of Ordinance No. 472 into the record.
39

40 **Council Member Blair moved to adopt Ordinance No. 472 on first reading,**
41 **seconded by Vice Mayor Crippen and passed by a unanimous 7/0 roll call**
42 **vote of the Council.**
43

- 44 **E. ORDINANCE NO. 473:** An ordinance of the City Council of the City of
45 Orange City, Florida, providing for a non-exclusive franchise to Waste Pro for the
46 collection and disposal of commercial trash, garbage, recyclable materials and
47 other refuse within the city limits; providing for definitions, terms condition,
48 rates, compliance with laws, arbitration, standards of performance, collection,
49 regulation operations, hours, routes, penalties, accounting, complaint

1 resolutions; containing a repealer provision; a severability clause and providing
2 for an effective date.

3
4 Mayor Laputka read the title of Ordinance No. 473 into the record.

5
6 **Council Member Blair moved to adopt Ordinance No. 473 on first reading,**
7 **seconded by Vice Mayor Crippen and passed by a unanimous 7/0 roll call**
8 **vote of the Council.**

9
10 **F. ORDINANCE NO. 474:** An ordinance of the City Council of the City of
11 Orange City, Florida, providing for a non-exclusive franchise to Waste Services
12 of Florida, Inc. for the collection and disposal of commercial trash, garbage,
13 recyclable materials and other refuse within the city limits; providing for
14 definitions, terms condition, rates, compliance with laws, arbitration, standards of
15 performance, collection, regulation operations, hours, routes, penalties,
16 accounting, complaint resolutions; containing a repealer provision; a severability
17 clause and providing for an effective date.

18
19 Mayor Laputka read the title of Ordinance No. 474 into the record.

20
21 **Council Member Blair moved to adopt Ordinance No. 474 on first reading,**
22 **seconded by Vice Mayor Crippen and passed by a unanimous 7/0 roll call**
23 **vote of the Council.**

24
25 **G. ORDINANCE NO. 475:** An ordinance of the City Council of the City of
26 Orange City, Florida, providing for a non-exclusive franchise to Orlando Waste
27 Paper Co., Inc. for the collection and disposal of commercial trash, garbage,
28 recyclable materials and other refuse within the city limits; providing for
29 definitions, terms condition, rates, compliance with laws, arbitration, standards of
30 performance, collection, regulation operations, hours, routes, penalties,
31 accounting, complaint resolutions; containing a repealer provision; a severability
32 clause and providing for an effective date.

33
34 Mayor Laputka read the title of Ordinance No. 475 into the record.

35
36 **Council Member Blair moved to adopt Ordinance No. 475 on first reading,**
37 **seconded by Vice Mayor Crippen and passed by a unanimous 7/0 roll call**
38 **vote of the Council.**

39
40 **H. ORDINANCE NO. 476:** An ordinance of the City Council of the City of Orange
41 City, Florida, providing for a non-exclusive franchise to Disposall for the
42 collection and disposal of commercial trash, garbage, recyclable materials and
43 other refuse within the city limits; providing for definitions, terms condition,
44 rates, compliance with laws, arbitration, standards of performance, collection,
45 regulation operations hours, route penalties accounting, complaint resolutions;
46 containing a repealer provision; a severability clause and providing for an
47 effective date.

48
49 Mayor Laputka read the title of Ordinance No. 476 into the record.

1
2 **Council Member Blair moved to adopt Ordinance No. 476 on first reading,**
3 **seconded by Vice Mayor Crippen and passed by a unanimous 7/0 roll call**
4 **vote of the Council.**

5
6 **6. PUBLIC HEARINGS:** None at this time

7
8 **7. RESOLUTIONS:** None at this time

9
10 **8. DISCUSSION AND ACTION:**

11 **A.** Election of Vice Mayor

12
13
14 *Moved forward on agenda*

15
16 **B.** Contract with CPH for Finding of Necessity Study

17
18 Ms. Stettner provided a power point presentation (a copy of which is attached and becomes a permanent
19 part of these minutes). She discussed what a “Community Redevelopment Area” (CRA) is stating that it
20 identifies a specific area in the community to encourage public and private redevelopment. The
21 “finding of necessity” is the first step in creating the CRA. Next a redevelopment plan is created along
22 with the establishment of a CRA Board. Finally, a work program is developed. Ms. Stettner discussed
23 the various steps in more detail. She advised that what staff is asking for at this time is approval of the
24 work authorization to develop a “finding of necessity,” to hire CPH at a cost not to exceed \$39,660 and
25 to authorize the City Manager to execute the contract.

26
27 Council Member Blair stated that this project is “long overdue.” He observed that the CRA must also be
28 approved by the County Council.

29
30 Ms. Croteau cautioned Council that this is a long-term process and that it will likely be ten years before
31 enough money is available in the CRA to start completing some of the infrastructure projects.

32
33 Council Member Blair suggested that the present County Council may view this endeavor more
34 favorably than a newly elected one. Ms. Croteau indicated that early talks with the County have been
35 favorable. She said Orange City is one of the only cities in the County that does not have a CRA. She
36 stressed that this will not cost the property owners in the area any additional money at all.

37
38 Council Member Saylor said that he found a lot of positive in the process that he was not aware existed.
39 He said that it is a shame how long it will take to see the benefits. He said that it is “a very good
40 program” and expressed his optimism that it will make “a big positive step” for the City.

41
42 Council Member Pupello acknowledged that the process for CRA implementation is long and stated that
43 “it needs to be started today.” Council Member Pupello called the CRA “the most important set of tools
44 that we will have to really impact the change and the vision that we have shared with each other.”

45
46 Ms. Croteau noted that the next phase of the project could be quite costly and stated that she didn’t want
47 anyone to have “sticker shock.” Vice Mayor Crippen observed that “you have to spend money to make
48 money.” He agreed that this is long overdue.

49

1 Council Member Abraham stated that he always supports what is in the best interest of the City. He said
2 that he supports the CRA “cautiously,” warning that it should not burden the citizens and businesses any
3 more than they are now. Council Member Abraham stated, “In the best interest of Orange City, I
4 support it.”

5
6 In response to a question from the Mayor, Ms. Croteau said that this is a budgeted item.

7
8 Ms. Croteau again provided an overview of how the CRA district would work. She explained that if the
9 district is formed in 2012, 2013 would be a “base year.” The properties within the area would be valued
10 at the base year. As values rise in subsequent years, it creates “tax increment funding” which means that
11 property taxes remain what they would normally be, however, the county taxes on any increase between
12 the base year and the following years will be returned to the CRA. She advised that this is why it takes
13 time to accrue money in the CRA. She reiterated that it does not change the tax that anyone pays, it just
14 takes a portion of the money that is paid to the County and returns it to the City for use in the CRA
15 district. She stated, “So we’re basically keeping the dollars right in front of the people who that are
16 paying for them.” The CRA accumulation can be spent on infrastructure improvements, streetscaping,
17 stormwater projects and can also be used for the business and property owners within the area by
18 establishing grants to do exterior improvements to their buildings.

19
20 **Council Member Blair moved to approve the work order and authorize the City**
21 **Manager to enter into a task work order with CPH Engineers, seconded by Vice**
22 **Mayor Crippen and passed by unanimous 7/0 roll call vote of the Council.**

23
24 C. Developers Agreement for Mobility Agreement (Dollar General)

25
26 Ms. Stettner discussed the Developer’s Agreement for the proposed Dollar General located at 676 N.
27 Volusia Avenue. She noted that it includes a mobility agreement and discussed what that entails. Ms.
28 Stettner provided a PowerPoint presentation (a copy of which is attached and becomes a permanent part
29 of these minutes). She displayed a slide of the site plan and noted that expanded and enhanced
30 sidewalks are planned along 17-92 and Lansdowne. The building will be a “Florida Vernacular” style.
31 Plans are to include an “enhanced” landscaping package which will promote walkability. The plants
32 will be “Florida-friendly” which will also promote the style of the building. There will be a front porch
33 along the entire frontage of the building. Planters and hanging baskets will be permitted in lieu of the
34 5 ft. landscape buffer required by the Code. The applicant has agreed to limit sales and display in the
35 canopy area to four times a year to avoid an environment with constant displays. Staff is working with
36 Votran to move the bus stop to location of the canopies. Ms. Stettner said staff and the Planning
37 Commission is recommending that Council approve the proposed developer’s agreement for the
38 Millennium Venture Group, Inc. providing for the mobility enhancements for the proposed Dollar
39 General consistent with the City’s Comprehensive Plan.

40
41 Council Member Blair asked how long the special event displays would be allowed. Ms. Stettner
42 responded that a special event permit would be required and the length of time would be at the City
43 Manager’s discretion. Council Member Blair expressed his concern that it could end up like several
44 other businesses in the City that have merchandise everywhere. Ms. Stettner responded that she
45 envisioned a period encompassing a weekend at a time.

46
47 Michal Woods, Cobb Cole, Attorney for the applicant, came forward. He said the requirement for a
48 special event permits applies to everyone in the City, not specifically to the mobility agreement. Mr.
49 Woods noted some ambiguity in the current code and encouraged staff to make some changes to more

1 clearly identify what is allowed and what is not. He thanked staff for the help in adjusting the site plan
2 and discussed the details of the developer's agreement. Mr. Woods clarified this is not a PUD, but a
3 mobility agreement.

4
5 Mayor Laputka noted it does not look like a Dollar General and that he is happy with that. Mr. Woods
6 noted that staff strongly encouraged the Florida Vernacular style. He stated the end product will be
7 something that will look good and hopefully be a benefit to the City for many years to come. Council
8 Member Saylor noted that he was in attendance at the Planning Commission meeting when this
9 agreement was discussed. Subsequently, he visited the Dollar General in DeLand and was impressed at
10 how nice it looked from the street. Vice Mayor Crippen agreed with previous comments. He thanked
11 staff for working with the developer and stated it was a good cooperative effort.

12
13 **Vice Mayor Crippen moved that the City Council approve the proposed**
14 **Developer's Agreement with Millennium Venture Group, Inc., providing**
15 **for mobility enhancements for the proposed Dollar General located at**
16 **676 North Volusia Avenue consistent with the City's Comprehensive**
17 **Plan, seconded by Council Member Saylor, and passed by a unanimous**
18 **7/0 roll call vote of the Council.**

19
20 **D. Continuing Contract for Planning Firms**

21
22 Ms. Stettner advised that earlier this year, the City issued an RFQ for Continuing General Professional
23 Consulting Services. Eight firms responded. The evaluation committee met to review the proposals and
24 rank the firms. The top ranked firms are HHI Design and AECOM. She noted that the tabulation sheets
25 were included in the agenda packet. Staff is asking Council to approve the tabulation results and to
26 authorize the City Manger to negotiate with the top two firms for a three year contract with two
27 renewable one-year extensions.

28
29 **Vice Mayor Crippen moved that the City Council approve the ranking list**
30 **and authorize the City Manager to execute an agreement with the top two**
31 **firms, seconded by Council Member Blair and passed by a unanimous 7/0**
32 **roll call vote of the Council.**

33
34 **E. Daytona State College - Educational Services Agreement**

35
36 Fire Chief Chris Johnson came forward. He noted that the City entered into an agreement with Daytona
37 State College in 2008 to allow paramedics and firefighter students to gain on the job experience by
38 participating on calls. He discussed what the program involves. Noting the agreement expired this
39 summer, Chief Johnson said staff has been working on a new agreement. Staff is seeking Council's
40 approval for the City Manager to sign the agreement.

41
42 Council Member Blair suggested that this program sounds similar to an internship for paramedics and
43 fire fighters. Chief Johnson agreed. He said it is a good way for new people to gain knowledge of what
44 is actually happening in the field. Council Member Blair noted that it also gives the Fire Department a
45 little extra help. Chief Johnson agreed.

46
47 In response to a question from Mayor Laputka, Chief Johnson said the College holds a liability
48 insurance policy for the students and that the City is also covered. Mr. Reischmann noted that the

1 College is obligated to defend and indemnify the City should there be any claims. A copy of the
2 insurance policy is attached as an exhibit to the agreement.

3
4 **Council Member Blair moved that the City Council authorize the City**
5 **Manager to negotiate and enter into an Educational Services Agreement**
6 **with Daytona State College, seconded by Vice Mayor Crippen and passed by**
7 **a 7/0 roll call vote of the Council.**
8

9 **F. Food Truck Expo**

10
11 Ms. Stettner advised that staff is seeking Council's authorization to proceed with a Food Truck Expo.
12 Noting that food trucks are not currently allowed in the Land Development Code, Ms. Stettner suggested
13 that the expo could be classified as a special event to be held Sunday evenings in Lowe's parking lot.
14 She said several articles were provided with the agenda packet that show that food trucks have become
15 very popular throughout the country. A recent newspaper article claimed these events could bring about
16 2,500 people to a City to visit the local businesses with the intent that they will return. Ms. Stettner said
17 staff is asking Council to declare a Food Truck Expo as a special event. A local truck vendor is in the
18 audience and he is looking forward to having this event in the City.

19
20 In response to a question from Council Member Blair, Ms. Stettner said that initially the special event
21 will be held once a month on a Sunday afternoon. Council Member Blair said he could not support this
22 action at this time because it could hurt the local business owners who are already struggling. Ms.
23 Croteau noted that originally staff considered having this event in the K-Mart shopping mall, but the
24 owner was also concerned that it would hurt business. She said she did not agree. These events are
25 becoming very popular and tend to bring people to the area who will hopefully return to patronize the
26 local businesses. A Food Expo could be considered on a trial basis and discontinued if it is determined
27 it has a negative impact on local businesses. Ms. Stettner felt that these events have the opposite effect
28 because it brings more business to the city and people come back and visit the local restaurants in the
29 long run.

30
31 Vice Mayor Crippen said he could support this action as long as it does not hurt the existing businesses.
32 Council Member Saylor said he understands Council Member Blair's concerns, however he noted that
33 anything that gets people out into a shopping area could be a positive thing. Council Member Pupello
34 said he can support this action. He suggested a 90 day trial period to determine whether it is bringing in
35 new patrons or taking from the local establishments. Council Member Wright asked about the types of
36 foods that would be served.

37
38 Council Member Blair questioned what type of licenses the food truck vendors must have to participate.
39 Ms. Stettner responded that a license is not required for the Farmer's Market, but that it is something
40 that Council could determine. Council Member Blair felt that it is unfair to the established businesses
41 that people can come in and make a quick buck, without paying taxes and/or insurance. Ms. Croteau
42 noted these events do not always generate immediate revenue but do bring recognition to the City. She
43 agreed that a 3-month trial is the best way to proceed.

44
45 Alex Flores, local business and food truck owner came forward. Mr. Flores said his truck is licensed by
46 the Department of Business & Professional Regulation and is fully insured. Food truck vendors pay
47 taxes just like the traditional restaurants. Most event coordinators ask for higher insurance premiums to
48 take care of anything that might happen. Mr. Flores said people usually follow the event coordinators to
49 wherever the next event is being coordinated. Mr. Flores suggested that people who frequent the

1 restaurants are going to go there regardless. It is almost like a picnic atmosphere people bring their
2 chairs and tables and just enjoy the event with the family and friends.

3
4 **Vice Mayor Crippen moved that the City Council approve a monthly**
5 **food truck expo in Orange City as a Special Event with a trial period**
6 **of three months to evaluate as to whether there is a positive or adverse**
7 **impact to the local businesses, seconded by Council Member Pupello**
8 **and passed by a 6/1 roll call vote with Council Member Blair voting**
9 **“no.”**

10
11 **9. NEW BUSINESS:** None at this time

12
13 **10. REPORTS:**

14 **A. City Manager**

15
16
17 Ms. Croteau announced the annual “Light up Orange City” event will be take place from 6:30-9:00 p.m.
18 at City Hall on December 2nd. A movie will be shown and refreshments will be available. Ms. Croteau
19 announced the annual Christmas Village and Parade will take place on December 10th 10 a.m. to 9 p.m.
20 The parade will begin at 5:00 p.m. Ms. Croteau thanked the staff who worked on the Halloween Block
21 Party. She said it was a great event.

22
23 Ms. Croteau advised that it is time to schedule a Strategic Planning Session. Marilyn Crotty from the
24 Institute of Government was the facilitator for the last session and staff is seeking Council’s approval to
25 ask her to return.

26
27 **It was the consensus of the Council to proceed with scheduling of the annual**
28 **Strategic Planning session.**

29
30 Ms. Croteau reported Veteran’s Memorial Park will be closed in December for installation of the new
31 playground and resurfacing of the splash pad. She said the playground at Valentine Park is almost
32 completed. Staff will bring pictures at the next meeting.

33
34 Ms. Croteau noted that last year Council authorized a \$50 gift certificate and an extra day off at the
35 holidays for employees. She said surrounding cities’ offices are closed both December 23rd and
36 December 26th. Orange City offices will be closed on December 26th. She noted that while staff
37 received a 3% cost of living raise, it was offset by the mandatory contribution into their retirement
38 funds. Based on that, she requested that Council give staff an additional day off (December 23rd, the
39 Friday before Christmas) and a \$50 gift certificate. The cost for the gift cards would be around \$5,000.
40 She said she believes that it shows support from the Council for the staff.

41
42 **Vice Mayor Crippen moved that the City Council provide employees**
43 **with a \$50 gift certificate for the holidays and to give paid leave to**
44 **employees for December 23, 2011, seconded by Council Member Blair,**
45 **and passed by a unanimous 7/0 roll call vote of the Council.**

46
47 Ms. Croteau said she has received several questions from Council regarding the permit issued to the
48 Tropi-Shack and that she wished to address the matter. She read an excerpt from the Land Development
49 Code about non-conforming uses. She said the Code provides that a permit to a non-conforming

1 structure could be issued if it decreases the non-conforming status. She explained what the applicant
2 wanted to do and stated that staff acted appropriately by issuing the permit.

3
4 **B. Mayor/City Council**

5
6 Vice Mayor Crippen reported on the River of Lake Heritage Corridor Scenic Highway Management
7 Entity (the Corridor) meeting. He noted that the County is paying \$70,000 to look at how the
8 advertising authorities are using advertising dollars. In addition, the web master for the Corridor was at
9 the meeting and discussed his company's ability to monitor hits on the web site and to evaluate whether
10 those hits had a positive revenue impact for the entities that advertise on the web page. He suggested
11 that staff check to see if the City could benefit from that capability.

12
13 Vice Mayor Crippen said the Veteran's Day Parade for Volusia County was held in DeLand and over
14 1,100 people were in the parade. He stated it was a "fantastic success." The Vice Mayor said the Fall
15 Festival of the Arts is in DeLand is this weekend. Also, in 2014 an international bicycle convention is
16 being contemplated in DeLand. There will be about 70-100 people attending.

17
18 Vice Mayor Crippen suggested that Council Member Saylor be the City Council's representative on the
19 TPO. Council Member Saylor agreed to represent the Council. He requested that someone be named as
20 a backup in case he is not able to make the meetings.

21
22 **It was the consensus of the Council the Council Member Saylor be the**
23 **City's representative on the TPO and that Vice Mayor Crippen be the**
24 **alternate.**

25
26 **C. City Clerk**

27
28 Ms. Renner noted that an alternate is need for the VCOG meetings. She noted that historically the
29 Mayor has been the representative and the Vice Mayor is the alternate. Ms. Renner asked if it is the
30 desire of the Council to keep this arrangement.

31
32 **It was the consensus of Council that Mayor Laputka be the VCOG**
33 **representative and Vice Mayor Crippen the alternate.**

34
35 **D. City Attorney**

36
37 The City Attorney had no further report.

38
39 **11. APPROVAL OF MINUTES:** (Consent Agenda)

40
41 **12. COUNCIL COMMENTS**

42
43 Council Member Blair welcomed the new members to the Council. Council Member Blair said he and
44 the City Manager attended a lecture on regional planning at UCF in Orlando. He said it was
45 informative. Council Member Blair said the Halloween Block party was "fabulous." He noted that it
46 was well attended.

47
48 Vice Mayor Crippen thanked everybody for coming. He welcomed the newly appointed and reelected
49 council members.

1 Council Member Pupello said he is looking forward to working with the new Council members. He
2 thanked everyone for attending. Council Member Pupello said the Halloween Block party was
3 “excellent.”

4
5 Council Member Wright said he used work as a town clerk/treasurer in a small town. He said he
6 understands what is involved with coordinating Council meetings. Council Member Wright said that
7 these meetings run smoothly because of the “excellent preparation” from staff. He said he looks
8 forward to working with the Council. He recalled a conversation with former Mayor Harley Strickland
9 that encouraged him to run for office. Council Member Wright stated, “I appreciated that and I hold Mr.
10 Strickland in high regard. Thank you.”

11
12 Council Member Saylor said he has attended several governmental meetings already, including the TPO
13 meetings. He said he appreciates Bob Storke’s attendance record at these meetings. He thanked him for
14 his dedication and patience. Council Member Saylor stated the Halloween Block party was
15 “phenomenal.” He said he disagreed with the newspaper’s count of how many people attended because
16 there were more than 1,000 people present. It was a very enjoyable evening. Council Member Saylor
17 said he is looking forward to visiting with the Fire Chief. He said he plans to attend the Community
18 Watch meeting tomorrow evening. He stated that he has attended several other municipal meetings.
19 When compared to other cities, Orange City residents seem to show up more frequently. He stated,
20 “Orange City needs to be really proud of their citizens for the way they show up. I want to thank them.”

21
22 Mayor Laputka said he received a letter from former Mayor Ted Erwin, who now lives in Hawaii. He
23 remarked that Mr. Erwin commented that Orange City has all the elements to be one the most, if not the
24 most, enviable small city in the Country. The Mayor stated, “That was an interesting vision on his part
25 and I embrace that thought.” Mayor Laputka related a story of the difficulties that his son experiences
26 while stationed in Afghanistan as a soldier. He said he puts his life on the line every single day to allow
27 us to represent ourselves.” He said he was inspired by that. Mayor Laputka noted that citizen input on
28 strategic planning is important. He encouraged everyone to take an active role and to attend the
29 upcoming strategic planning sessions.

30
31 **13. ADJOURN**

32
33 There being no further business, Mayor Laputka adjourned the meeting at 9:05 p.m.

34
35 RESPECTFULLY SUBMITTED:

APPROVED ON:

36
37 _____
38 Gloria Thomas, CMC
39 Deputy City Clerk

December 13, 2011
Date